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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/550,790

09/27/2005

Yuichi Marikawa

5341-57PUS

1803

27799

7590

10/13/2010

COHEN, PONTANI, LIEBERMAN & PAVANE LLP
551 FIFTH AVENUE
SUITE 1210
NEW YORK, NY 10176

EXAMINER

HAQ, NAEEM U

ART UNIT

PAPER NUMBER

3625

MAIL DATE

DELIVERY MODE

10/13/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/550,790	Applicant(s) MARIKAWA ET AL.	
	Examiner NAEEM HAQ	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7 and 11 is/are rejected.
- 7) ☒ Claim(s) 4-6, 8-10 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/2/2010</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicants' arguments with respect to the rejection of claims 1 and 11 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Knight (US 6,344,853 B1).

Allowable Subject Matter

Claims 4-6, 8-10, and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 7, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokomizo et al. (US 2002/0067500 A1) ("Yokomizo") in view of Knight (US 6,344,853 B1).

Referring to claims 1, 7, and 11: Yokomizo teaches an image-editing service system comprising: a network (paragraph [0002]); a server connecting to the network (paragraph [0034]); a user terminal for performing a design order connecting to the

Art Unit: 3625

network (paragraph [0043]); an administrator terminal connecting to the network for receiving the design order via the server and performing an order of image-editing work based on the design order (paragraph [0212]); a worker terminal connecting to the network for performing image-editing based on the order of image-editing work and for creating an image information (paragraphs [0169] and [0170]); and, the server comprising; a database for storing the image information sent from worker terminal (paragraph [0168]); a first image generating section for generating a first image based on the image information stored in the database (paragraph [0197]); a display section for displaying an image display frame so as to display the first image in a display window of the user terminal and displaying a window information so as to display a display condition of the first image which is allowed to be input (Figure 7, "70").

Yokomizo does not teach a second image generating section for generating a second image regard to the first image based on the display condition inputted by the user terminal; and, a window information generating section for displaying the first image and the second image simultaneously. However, Knight teaches a method and apparatus that generates a second image regard to the first image based on the display condition inputted by the user terminal; and, a window information generating section for displaying the first image and the second image simultaneously (Figure 3D; Abstract, lines 1-3; col. 1, lines 7-22; col. 3, lines 1-7; col. 4, lines 12-27). It would have been obvious to one of ordinary skill in the art to include in the invention of Yokomizo the composite imaging ability of Knight since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the

Art Unit: 3625

same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Claim 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokomizo et al. (US 2002/0067500 A1) ("Yokomizo") in view of Knight (US 6,344,853 B1) and further in view of Hama et al. (US 4,751,507) ("Hama").

The cited prior art does not teach a display section for displaying the first image can select either a whole display or a partial display on the display window of the user terminal; wherein the window information generating section for displaying the first image and the second image simultaneously when the whole display is selected by the user terminal, while displaying a portion of the first image when the partial display is selected by the user terminal. However, Hama teaches a partial display of an image (Figure 5, "23" and "25"). It would have been obvious to one of ordinary skill in the art to include in the invention of Yokomizo the partial display ability of Hama since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NAEEM HAQ whose telephone number is (571)272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff A. Smith can be reached on (571)-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Naeem Haq/
Primary Examiner, Art Unit 3625

October 11, 2010